

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on November 18, 2014.

Mayor Gover presided and called the meeting to order at 6:30 p.m.

Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Dave Cox, YEA Commissioner Sandra Graven, YEA Commissioner Rick Hall, Absent Commissioner Preston Owen, and YEA Mayor Tim Gover.

Also physically present were City personnel: City Administrator Kyle Gill, City Attorney Janett Winter-Black, Finance Director/Treasurer Beth Wright, Public Works Director Dean Barber, Fire Chief Tony Nichols, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

#### CONSENT AGENDA

Mayor Gover seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting November 4, 2014; bills and payroll for the first half of November, 2014.

##### Bills and Payroll for the first half of November, 2014

##### General Fund

Payroll		\$	273,449.94
Bills		\$	<u>134,462.93</u>
	Total	\$	407,912.87

##### Hotel Tax Administration

Payroll		\$	1,865.24
Bills		\$	<u>3,617.11</u>
	Total	\$	5,482.35

##### Insurance & Tort Fund

Bills		\$	<u>44,522.10</u>
	Total	\$	44,522.10

##### Capital Project Fund

Bills		\$	<u>90,246.88</u>
	Total	\$	90,246.88

##### Broadway East Bus Dist

Bills		\$	<u>3,082.12</u>
		\$	3,082.12

##### Water Fund

Payroll		\$	33,854.52
Bills		\$	<u>628,912.82</u>
	Total	\$	662,767.34

##### Sewer Fund

Payroll		\$	31,144.75
Bills		\$	<u>59,878.17</u>
	Total	\$	91,022.92

**Heath Insurance Fund**

Bills		\$	160,464.55
	Total	\$	160,464.55

**Motor Fuel Tax Fund**

Bills		\$	16,710.27
	Total	\$	16,710.27

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

**PRESENTATIONS, PETITIONS AND COMMUNICATIONS**

Mayor Gover opened the floor for Public comments with no response.

Mr. Robert Arnholt and Mr. Larry Nichols of Doehring, Winders & Company, LLP presented the 2014 Audit to the Council. Mr. Arnholt reviewed the management letter, and noted changes to the accounting policies and account estimates. [Fire Chief Nichols left meeting at 6:40 p.m.] Mr. Nichols reviewed highlights from the Audit including the independent audit opinion, unmodified clean opinion, funds covered, management discussion and analysis, comparisons on government-wide basis, significant differences between last two years, revenues and expenditures, two sets of financial statements, new auditing standards, weaknesses, recommendations and managements' response, and upcoming GASB 67 & 68 requirements. The floor was opened for questions from the Council or Public with no response.

**NEW BUSINESS**

Mayor Gover announced the removal of Special Ordinance 2014-1578 for consideration regarding the contract for the administration of the City's self-insured health and dental plans at this time due to the request for additional information with the anticipation of consideration at the next meeting.

Commissioner Cox seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1576, accepting the bid of \$62,000 from the First Christian Church of Mattoon for the purchase of 1605, 1609, and 1613 Wabash Avenue Parking Lot; and authorizing the sale of surplus real estate located at 1605, 1609, and 1613 Wabash Avenue and owned by the municipality to First Christian Church of Mattoon known as Parking Lot D.

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2014-1576**

**AN ORDINANCE AUTHORIZING THE SALE OF  
SURPLUS REAL ESTATE OWNED BY THE MUNICIPALITY**

**WHEREAS**, State Statute 65 ILCS 5/11-76-4.1 enables corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, The City of Mattoon had an appraisal prepared which determined the appraised value of property located at 1605, 1609, and 1613 Wabash Avenue, Mattoon, Illinois to be \$73,500 ; and

**WHEREAS**, First Christian Church has made a bid in the amount of \$62,000 to purchase 1605, 1609, and 1613 Wabash Avenue, formerly known as Parking Lot D, and described as follows:

Lots Two (2), Three (3), and Four (4) in Block One Hundred Seventy- One (171) of the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois; and

**WHEREAS**, the City of Mattoon has determined that the aforementioned real estate is no longer necessary or useful to, or for the best interest of, the City of Mattoon, and was declared surplus to the needs of the City of Mattoon with Special Ordinance No. 2014-1565.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The City Attorney is authorized to prepare closing documents in the standard form for real estate transactions and the Mayor and City Clerk are authorized to sign documents conveying by a Municipal Corporation Deed the real estate described in Section 3 of this ordinance to First Christian Church, subject to a payment in the amount of \$62,000.00.

**Section 3.** The real estate to be conveyed pursuant to this ordinance is legally described as:

Lots Two (2), Three (3), and Four (4) in Block One Hundred Seventy- One (171) of the original town, now City of Mattoon, Mattoon Township, Coles County, Illinois.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Cox, seconded by Commissioner Graven, adopted this 18th day of November, 2014, by a roll call vote, as follows:

AYES (Names):        Commissioner Cox, Commissioner Graven,  
                              Commissioner Hall, Mayor Gover  
NAYS (Names):        None  
ABSENT (Names):     Commissioner Owen

Approved this 18th day of November, 2014.

/s/ Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to adopt Resolution No. 2014-2924, authorizing a \$10,000 maximum agreement with the Coles County Regional Planning & Development Commission for Technical Assistance for Services to be rendered from December 1, 2014 to November 30, 2015 on a time and expense basis and authorizing the mayor to sign all documents.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2014-2924**

**RESOLUTION TO ENTER INTO A TECHNICAL  
ASSISTANCE AGREEMENT BETWEEN THE CITY OF MATTOON AND THE COLES COUNTY  
REGIONAL PLANNING AND DEVELOPMENT COMMISSION**

**WHEREAS**, the City of Mattoon has selected the Coles County Regional Planning and Development Commission to provide certain Technical Assistance Services to the City; and

**WHEREAS**, the City Council has examined the proposed agreement a copy of which is attached hereto and incorporated by reference and entitled "Technical Assistance Agreement between the City of Mattoon, Illinois and the Coles County Regional Planning and Development Commission," and finds said agreement to be acceptable,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mattoon, Illinois, that the City shall enter into and execute said Agreement with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said Agreement.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 18th day of November, 2014 by a roll call vote, as follows:

AYES (Names):           Commissioner Cox, Commissioner Graven,  
                                  Commissioner Hall, Mayor Gover

NAYS (Names):         None

ABSENT (Names):       Commissioner Owen

Approved this 18th day of November, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Resolution No. 2014-2925, authorizing an agreement with the Coles County Regional Planning & Development Commission with an estimated amount of

\$3,000 for administration of the Mattoon Revolving Loan Fund for services to be rendered from December 1, 2014 to November 30, 2015 on a time and expense basis and authorizing the mayor to sign all documents.

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2014-2925**

**RESOLUTION TO ENTER INTO CONTRACTUAL AGREEMENT  
FOR REVOLVING LOAN FUND ADMINISTRATION & COORDINATION SERVICES WITH THE  
COLES COUNTY REGIONAL PLANNING & DEVELOPMENT COMMISSION**

**WHEREAS**, the City of Mattoon operates a State of Illinois capitalized Revolving Loan Fund, and;

**WHEREAS**, the Coles County Regional Planning and Development Commission has been deemed by the City Council as qualified to administer said Revolving Loan Fund, said Commission furnishing a proposed contractual agreement for Revolving Loan Fund administration services to the City, and

**WHEREAS**, The City Council has examined the proposed contractual agreement, entitled "Contract Agreement for Administration and Coordination Services for State Capitalized Revolving Loan Fund," and finds the agreement to be acceptable.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Mattoon, Coles County, Illinois that the City shall enter into and execute this Contract Agreement for Administrative Services with the Coles County Regional Planning and Development Commission. The Mayor is authorized to execute said contractual agreement.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 18<sup>th</sup> day of November, 2014 by a roll call vote, as follows:

AYES (Names):        Commissioner Cox, Commissioner Graven,  
                                 Commissioner Hall, Mayor Gover

NAYS (Names):        None

ABSENT (Names):     Commissioner Owen

Approved this 18<sup>th</sup> day of November, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance No. 2014-1577, approving placement of the annual property and casualty insurance and workers compensation coverage for a term beginning December 1, 2014; and authorizing the mayor to sign all documents.

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**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2014-1577**

**AN ORDINANCE AUTHORIZING PLACEMENT OF THE CITY'S PROPERTY & CASUALTY, AND  
WORKERS COMPENSATION INSURANCE COVERAGE**

**WHEREAS**, Arthur Gallagher Risk Management Services, Inc., an insurance broker of the City, solicited proposals from insurance companies that underwrite property, casualty and workers compensation insurance for municipal government exposures; and

**WHEREAS**, the combination of proposals received from Lloyd's of London for General Liability, Auto Liability, Auto Physical Damage, Law Enforcement Liability, Public Officials Liability/Employment Practices Liability, Employee Benefits Liability, Umbrella Liability; and from Federal Insurance Company (Chubb) for Property, Inland Marine, Excess Liability, Fiduciary Liability and Volunteers AD&D; and from Hanover Insurance Company for Commercial Crime; and from American Bankers Insurance Company of Florida for Flood Insurance; and from Illinois Public Risk Fund for Workers Compensation. These proposals have been determined to be the most cost effective and secure solutions for managing the City's property & casualty and workers compensation exposures.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** The Mayor, City Clerk and Arthur Gallagher Risk Management Services, Inc. are hereby authorized to take such administrative action necessary to bind the coverages of the City of Mattoon from Lloyd's of London for General Liability, Auto Liability, Auto Physical Damage, Law Enforcement Liability, Public Officials Liability/Employment Practices Liability, Employee Benefits Liability, Umbrella Liability; and from Federal Insurance Company (Chubb) for Property, Inland Marine, Excess Liability, Fiduciary Liability and Volunteers AD&D; and from Hanover Insurance Company for Commercial Crime; and from American Bankers Insurance Company of Florida for Flood Insurance; and from Illinois Public Risk Fund for Workers Compensation for the policy year beginning December 1, 2014 and ending December 1, 2015 pursuant to the proposal which is attached hereto and incorporated herein by reference.

**Section 2** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 18th day of November, 2014, by a roll call vote, as follows:

AYES (Names):        Commissioner Cox, Commissioner Graven,  
                                 Commissioner Hall, Mayor Gover

NAYS (Names):       None

ABSENT (Names):     Commissioner Owen

Approved this 18<sup>th</sup> day of November, 2014.

/s/Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments/discussion/questions which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to adopt Special Ordinance No. 2014-1579, granting a building setback variance for 1905-2015 Charleston Avenue to enable the construction of a new building. Keith W. Summers – Petitioner

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**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2014-1579**

**AN ORDINANCE GRANTING A VARIANCE FROM BUILDING SET BACK  
REQUIREMENTS TO ENABLE CONSTRUCTION OF A BUILDING LOCATED AT  
1905-2015 CHARLESTON AVENUE, MATTOON, ILLINOIS**

**WHEREAS** there has been filed a written Petition by Keith W. Summers, for a variance respecting the property commonly known as 1905-2015 Charleston Ave, Mattoon, Illinois, and legally described on the attached Exhibit A.

**WHEREAS** said Petition requests that a variance be granted pursuant to applicable ordinances of the municipality to allow construction of a new building which would affect the space available for setback.

**WHEREAS** the zoning code requires a 25-foot front setback from the lot lines of each street.

**WHEREAS** the Mattoon Planning Commission held a properly noticed public hearing on November 12, 2014 regarding Petitioner's request for said variance, no objectors were present and the Planning Commission has recommended that the requested variance be granted; and

**WHEREAS** the City Council for the City of Mattoon, Coles County, Illinois, deems that the recommended variance is in the public interest.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** as follows:

**Section 1.** Pursuant to the enabling authority provided at §159.05 of the Mattoon Code of Ordinances, the property legally described in Exhibit A, be and the same is granted a variance of the setback requirements on the north side of Wabash Avenue and on the west side of 19<sup>th</sup> Street reducing the setback requirement of 25 feet to less than a foot enabling the construction of a building on said property.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

**Section 4.** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's

Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 18th day of November 2014, by a roll call vote as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Owen

Approved this 18<sup>th</sup> day of November, 2014.

/s/Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014

### **EXHIBIT A**

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6) in Block One Hundred Forty (140) in Noyes' Addition to the City of Mattoon, Coles County, Illinois;

and

Lots One (1), Two (2), Three (3) and Four (4) in Block One Hundred Forty (140) in Assessor's Subdivision of the Northeast Quarter of the Southeast Quarter of Section Fourteen (14), Township Twelve (12) N, Range Seven (7) East of the 3<sup>rd</sup> P.M. in the City of Mattoon, Coles County, Illinois;

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Mayor Gover opened the floor for questions or comments. Administrator Gill noted the approval by the Planning Commission.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Graven moved to adopt Special Ordinance No. 2014-1580, granting the vacation of a portion of 19th Street. Keith W. Summers – Petitioner

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### **CITY OF MATTOON, ILLINOIS SPECIAL ORDINANCE NO. 2014-1580**

#### **AN ORDINANCE VACATING A PORTION OF 19<sup>th</sup> STREET IN THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**

**WHEREAS**, a Petition to Vacate a Portion of 19<sup>th</sup> Street was filed with the City Clerk for the City of Mattoon, by Keith W. Summers, requesting the City of Mattoon, Illinois to vacate the street described as follows:

19<sup>th</sup> Street, including Lots One (1) and Two (2) in Block One Hundred Forty-four (144) in Noyes' Addition to the City of Mattoon, Coles County, Illinois, immediately adjacent to Lots One (1) and Six (6) in Block One Hundred Forty (140) in Noyes' Addition to the City of Mattoon, Coles County, Illinois;

**WHEREAS**, a public hearing was held before the Planning Committee for the City of Mattoon on November 12, 2014 pursuant to published notice;

**WHEREAS**, the Mattoon Planning Committee considered said Petition and recommended the petition to vacate street be approved;

**WHEREAS**, the City Council for the City of Mattoon, Coles County, Illinois deems that it would be in the public interest to approve the petition to vacate street described in this ordinance.

**NOW, THEREFORE, IT BE ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS as follows:**

**Section 1:** Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the street legally described as aforesaid, shall be vacated.

**Section 2:** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council as provided by law.

**Section 3:** This ordinance shall be effective immediately after Keith W. Summers has tendered to the City of Mattoon an amount equivalent to the average of two appraisals of the fair market value of the vacated premises and payment of all costs associated with said vacation.

**Section 4:** Keith W. Summers, after having made the entire payment of the average appraised value and the costs associated with this vacation, shall be and is vested with title to the vacated portion of 19<sup>th</sup> Street as legally described above.

**Section 5:** Upon becoming effective, the City Clerk shall make and record a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Graven, adopted this 18th day of November 2014, by a roll call vote as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Owen

Approved this 18<sup>th</sup> day of November, 2014.

/s/Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Effective Date: \_\_\_\_\_

Recorded in the Municipality's Records on November 18, 2014

Mayor Gover opened the floor for comments or discussion. Administrator Gill noted no objectors at the Planning Commission meeting which recommended the vacation with the exception of the utilities easement. Commissioner Cox was looking forward to the project.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Commissioner Hall seconded by Commissioner Cox moved to approve Council Decision Request No. 2014-1559, approving a \$3,500 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Youth Wrestling Club for hosting the 2015 Mattoon Kids Open on January 11, 2015; and authorizing the Mayor to sign the agreement.

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to adopt Resolution No. 2014-2926, approving annexation agreement with Todd Gardner.

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## **CITY OF MATTOON, ILLINOIS**

### **RESOLUTION NO. 2014-2926**

#### **A RESOLUTION APPROVING AN ANNEXATION AGREEMENT WITH TODD GARDNER**

**WHEREAS**, Todd Gardner as owner of the following described property:

Commencing at a brass pin at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 25, Township 12 North, Range 7 East of the Third Principal Meridian (per J.B. Upchurch plat dated 11-27-73); thence azimuth 90 degrees 24 minutes 00 seconds (azimuths are referenced to the Illinois State Plane Coordinate System East Zone Datum of 1983) along the north line of the Northeast Quarter of the Northeast Quarter of said Section 25, a distance of 772.11 feet to an iron pin with #2548 cap being the Point of Beginning; thence azimuth 180 degrees 25 minutes 05 seconds 356.39 feet to the center line of the Old State Road; thence azimuth 68 degrees 57 minutes 27 seconds along the center line of the Old State Road 185.09 feet; thence easterly a distance of 245.19 feet along said center line being a tangential curve to the right, having a radius of 22918.32 feet, chord azimuth 69 degrees 15 minutes 50 seconds and chord distance of 245.19 feet; thence azimuth 357 degrees 13 minutes 39 seconds 200.62 feet to an iron pin with #2548 cap on the north line of the Northeast Quarter of the Northeast Quarter of said Section 25; thence azimuth 270 degrees 24 minutes 00 seconds along the north line of the Northeast Quarter of the Northeast Quarter of said Section 25, a distance of 389.76 feet to the Point of Beginning containing 2.532 acres, more or less.

Also known as 5961 Old State Road, Mattoon, IL; and

**WHEREAS**, said real estate is adjacent to the City Limits of the City of Mattoon; and

**WHEREAS**, Todd Gardner wishes to annex the real estate at 5961 Old State Road into the City Limits of the City of Mattoon in order to obtain City water service, City sewer service, and the benefits of other City services; and

**WHEREAS**, Todd Gardner also possesses certain real estate located at 716 Richmond Avenue; and

**WHEREAS**, the City of Mattoon wishes to obtain the real estate at 716 Richmond Avenue for expansion of the Sports Complex located adjacent to the property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council for the City of Mattoon, Coles County, Illinois, that the attached Annexation Agreement between the City of Mattoon and Todd Gardner be approved; and authorize the Mayor and City Clerk to sign the agreement.

Upon motion by Mayor Gover, seconded by Commissioner Hall, adopted this 18th day of November, 2014, by a roll call vote, as follows:

AYES (Names): Commissioner Cox, Commissioner Graven,  
Commissioner Hall, Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Owen

ABSTAIN (Names): None

Approved this 18th day of November, 2014.

/s/ Timothy D. Gover  
Timothy D. Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ Janett S. Winter-Black  
Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments or discussion. Administrator Gill stated the agreement was for the swapping of land and placement of water and sewer lines for the Todd Gardner property.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Cox moved to adopt Special Ordinance No. 2014-1581, annexing 2.532 acres of real estate located at 5961 Old State Road in Coles County, Illinois to the City of Mattoon, Illinois. Todd Gardner – Petitioner.

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**CITY OF MATTOON, ILLINOIS**  
**SPECIAL ORDINANCE NO. 2014-1581**

**A SPECIAL ORDINANCE ANNEXING 2.532 ACRES LOCATED AT 5961 OLD STATE ROAD**

**WHEREAS**, Todd Gardner as owner of the following described property:

Commencing at a brass pin at the northwest corner of the Northeast Quarter of the Northeast Quarter of Section 25, Township 12 North, Range 7 East of the Third Principal Meridian (per J.B. Upchurch plat dated 11-27-73); thence azimuth 90 degrees 24 minutes 00 seconds (azimuths are referenced to the Illinois State Plane Coordinate System East Zone Datum of 1983) along the north line of the Northeast Quarter of the Northeast Quarter of said Section 25,

a distance of 772.11 feet to an iron pin with #2548 cap being the Point of Beginning; thence azimuth 180 degrees 25 minutes 05 seconds 356.39 feet to the center line of the Old State Road; thence azimuth 68 degrees 57 minutes 27 seconds along the center line of the Old State Road 185.09 feet; thence easterly a distance of 245.19 feet along said center line being a tangential curve to the right, having a radius of 22918.32 feet, chord azimuth 69 degrees 15 minutes 50 seconds and chord distance of 245.19 feet; thence azimuth 357 degrees 13 minutes 39 seconds 200.62 feet to an iron pin with #2548 cap on the north line of the Northeast Quarter of the Northeast Quarter of said Section 25; thence azimuth 270 degrees 24 minutes 00 seconds along the north line of the Northeast Quarter of the Northeast Quarter of said Section 25, a distance of 389.76 feet to the Point of Beginning containing 2.532 acres, more or less and is as shown by a plat attached hereto and made a part hereof.

has filed a petition to have said property annexed to the City of Mattoon; and

**WHEREAS**, on November 12, 2014, after a properly noticed public hearing at which potential objectors were given rights of due process, the City of Mattoon Planning Commission recommended approving the annexation of 2.532 acres located at 5961 Old State Road; and

**WHEREAS**, on November 18, 2014 the City Council for the City of Mattoon approved Resolution No. 2014-2926.

**WHEREAS**, the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve the annexation of 2.532 acres located at 5961 Old State Road.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS, AS FOLLOWS:**

**Section 1.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The annexation of 2.532 acres legally described above, along with the annexation plat which is attached hereto and incorporated herein by reference as Exhibit A, is hereby approved.

**Section 3.** This ordinance shall be effective upon its publication and approval as provided by law.

**Section 4.** The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor Gover, seconded by Commissioner Cox, adopted this 18<sup>th</sup> day of November, 2014, by a roll call vote, as follows:

AYES (Names):        Commissioner Cox, Commissioner Graven,  
                              Commissioner Hall, Mayor Gover  
NAYS (Names):       None  
ABSENT (Names):     Commissioner Owen

Approved this 18th day of November, 2014.

/s/ Tim Gover  
Tim Gover, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien

/s/ Janett S. Winter-Black

Susan J. O'Brien, City Clerk

Janett S. Winter-Black, City Attorney

Recorded in the Municipality's Records on November 18, 2014.

Mayor Gover opened the floor for comments or discussion which was followed by no response.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request No. 2014-1560, granting a special use/home occupation permit for the operation of a detail shop located at 2813 DeWitt Avenue; and authorizing the mayor to sign the application. John Van Cour – Petitioner

Administrator Gill described the small detail shop and clientele. Council inquired as to the regulations, no parking on DeWitt and alleyway. Administrator Gill stated Mr. Van Cour had no employees, no goods to be sold, no limit to the number of cars, no parking on the boulevard, not necessary to be considered by the Planning Commission, and his two-car garage.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

#### DEPARTMENT REPORTS:

CITY ADMINISTRATOR/ COMMUNITY DEVELOPMENT noted work on insurance renewals, MAID meeting, and business as usual. Community Development consisted of demolition on Lafayette (former Fire Station #2), construction, and receipt of a withdrawal (not signing the contract) for the demolition of the property located for the future Advanced Auto Store. Mayor Gover inquired as to the progress of the improvement on the wall located at 1632 Broadway. Administrator Gill stated the improvements were two-thirds complete and expected another two days work once the weather cleared. Mayor Gover added their attendance of a monthly meeting with Charleston's staff. Mayor Gover opened the floor for additional questions with no response.

CITY ATTORNEY had nothing to report. Mayor Gover opened the floor for questions. Commissioner Cox inquired as to the former Young's Radiator property. Attorney Winter-Black noted waiting for a returned call from Mr. Ballinger's attorney.

CITY CLERK noted work on the insurance renewals; otherwise, business as usual. Mayor Gover opened the floor for questions with no response.

FINANCE distributed and reviewed the October Financial Report, noted posting of audit adjustments, preparation of tax levy, and the preliminary tax levy would be filed with the Clerk's Office on November 26<sup>th</sup>.

PUBLIC WORKS updated Council on the status of two water main projects, preparation for the Todd Gardner annexation, and completion of Ameren project burying power lines near Heritage Park and Progress Square. Mayor Gover opened the floor for questions with no response.

POLICE noted receipt of a \$10,800 grant for a speed sign which has multiple functions; announced the submittal of a grant application for the Pistol Range; and acknowledged business as usual. Mayor Gover opened the floor for questions with no response.

#### COMMENTS BY THE COUNCIL:

Commissioner Cox requested everyone to shop local and attend the Christmas Parade on Saturday. Commissioner Graven had nothing to add. Commissioner Hall reported for Director Burgett on the Christmas

Parade, Holiday Arts Sale in the Depot, and the Santa Chase run before the parade. Mayor Gover wished everyone a Happy Thanksgiving.

Mayor Gover seconded by Commissioner Cox moved to recess to closed session at 7:04 p.m. pursuant to the Illinois Open Meetings Act for the purpose of discussing the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the City (5ILCS/20 (2)(C)(1)).

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, YEA Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

Council reconvened at 7:44 p.m.

Administrator Gill with Council briefly discussed the delay in insurance information.

Commissioner Hall seconded by Commissioner Cox moved to adjourn at 7:46 p.m.

Mayor Gover declared the motion carried by the following vote: YEA Commissioner Cox, NAY Commissioner Graven, YEA Commissioner Hall, Absent Commissioner Owen, YEA Mayor Gover.

/s/Susan J. O'Brien  
City Clerk